

Sen. Richard Russell

3 March 1970

CEA/sml

SUGGESTED REPLY

STATOTHR  
Dear

This is in response to your letter of 19 February 1970 concerning the Central Intelligence Agency.

I am enclosing a pamphlet concerning the Central Intelligence Agency in which you will note that the CIA is accountable to four committees of Congress in addition to certain mechanisms of the Executive Branch. With respect to whether an employee of the CIA can be subpoenaed, these employees do not differ from any other citizen in this respect. However, where questions concerning national security are involved, the courts will endeavor to handle the issue in such a way as to not be prejudicial to the interests of the United States.

Your question concerning the President of the United States is moot and probably will remain so.

## ROLE OF CONGRESSIONAL COMMITTEES

1. Legislation. The rules of the Congress, emanating largely out of the Congressional Reorganization Act of 1946, provide a subject matter breakdown of legislative affairs. All legislation on a certain subject matter is referred to the appropriate committee and by the committee chairman, to subcommittee. In the case of CIA this means a subcommittee of the Armed Services Committees in both Houses.

2. Oversight. Over and beyond legislative work these committees, in common with other standing committees of the Congress, are specifically charged with responsibility for exercising "continuous watchfulness" of the execution of the laws. This "oversight" added to the legislation function equals committee workload for "standing committees."

3. Appropriations. As you know, appropriations, as a subject matter, is covered by one committee in each House. A subcommittee of the full committee (membership not publicized in the House) acts upon the Agency's appropriations.

4. General jurisdiction. Intelligence is not lodged as a subject matter in any one committee. Therefore, while DOD's DIA, NSA, and service intelligence arms fall under Armed Services Committees, State's INR is under the Foreign Relations and Foreign Affairs Committees. Likewise, the Atomic Energy Commission falls under the Joint Atomic Energy Committee while the FBI (being a part of the Department of Justice) falls under the Judiciary Committees. However, unlike the Senate, jurisdiction in the subject matter of "internal security" has been preempted by another standing committee--the Committee on Internal Security (see attachment for charter).

5. Floor discussion. Jurisdiction, however, does not control statements by Members of Congress on the floor of either House, particularly in the Senate where there is less fetter on the subject matter which may be discussed at any particular moment. Of course, all Members have access to the media.

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
1			
2	4B 2629		
3			
4			
5			
6			

<input type="checkbox"/>	ACTION	<input type="checkbox"/>	DIRECT REPLY	<input type="checkbox"/>	PREPARE REPLY
<input type="checkbox"/>	APPROVAL	<input type="checkbox"/>	DISPATCH	<input type="checkbox"/>	RECOMMENDATION
<input type="checkbox"/>	COMMENT	<input type="checkbox"/>	FILE	<input type="checkbox"/>	RETURN
<input type="checkbox"/>	CONCURRENCE	<input type="checkbox"/>	INFORMATION	<input type="checkbox"/>	SIGNATURE

Remarks:

In the interest of helping you formulate your response to IN 052490, 26 February 1970, the attached sketches out certain general points concerning legislative oversight of the Agency. Also attached is the Internal Security Manual, which you might want to send, and the brochure from which you might want to extract info to send, as discussed.

Assistant Legislative Counsel

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DATE